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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 5, 2004

Vance Day, Treasurer
Oregon Republican Party
2720 Commercial St SE #210
Salem, OR 97302

Response Due Date:
December 6, 2004

Identification Number: C00153031

Reference: September Monthly Report (8/1/04-8/31/04)

Dear Mr. Day:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-The totals listed on Lines 6(c), 7, 11(a)(iii), 11(d), 19, 20, 21(a)(i), 21(a)(ii), 21(b), 21(c), 30(a)(i), 30(a)(ii), 30(c), 31 and 32, Column B of the Summary and Detailed Summary Page(s) appear to be incorrect. Please be advised that you should add the "Calendar Year-to-Date" total from your previous report to the current "Total This Period" figure from Column A to derive the correct Column B totals. Please amend your report and any subsequent reports that may be affected by this correction.

-Schedule A of your report discloses aggregate year-to-date totals for transfers received from "2004 Joint State Victory Committee" which appear to be incorrect. Please be advised that federal regulations require aggregate year-to-date totals to include only those contributions which are received during the calendar year. 11 CFR §104.3(a)(4) Please amend your report to provide the correct aggregate year-to-date totals.

-Schedule A of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §110.1(c) prohibit a state, district or local party committee (combined) from receiving any contribution from a person or non-multicandidate political committee in excess of \$10,000 per calendar year.

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If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

-Commission Regulations require that a committee disclose the identification of all individuals who contribute in excess of \$200 in a calendar year. (11 CFR §104.3(a)(4)(i)) Identification for an individual is defined as the full name, mailing address, occupation and name of employer. (11 CFR §100.12) Your report discloses contributions from individuals for which the identification is not complete.

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You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR §104.7(b)(1))

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2))
The request must:

- clearly ask for the missing information, without soliciting a contribution;
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you shall either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR §104.7(b)(4))

Please provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

-Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule B of your report to clarify the following description(s): "FEA COLLATERAL MATERIALS," "EXPENSE REIMBURSEMENT" and "EXPENSES." For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

-Please amend your report by providing the address for each disbursement itemized on Schedule B supporting Line(s) 30(b).

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-Schedule B supporting Line 21(b) of your report discloses a payment(s) totaling \$7,100.00 for "DIRECT MAIL" and "TELEMARKETING". Expenditures and disbursements for public communications (as defined under 11 CFR §100.26) that refer to a clearly identified candidate for Federal office and that promote, support, attack or oppose any candidate for Federal office, meet the definition of Federal Election Activity under 11 CFR §100.24 and should be disclosed on Schedule B for Line 30(b) along with the identity of the candidate(s).

Further, public communications that meet the definition of Federal Election Activity and that also contain express advocacy as defined under 11 CFR §100.22, but do not meet the conditions of exempt activity, would constitute an in-kind contribution, an independent expenditure or a coordinated party expenditure and should be properly disclosed on a Schedule B, E or F supporting Lines 23, 24 or 25, as appropriate, rather than on Schedule B for Line 30(b). Please amend your report to properly disclose this activity or provide clarifying information.

-The totals listed on Lines 1(a) and 1(b), Column B of the Schedule L Aggregation Page for the "Key Levin" account appear to be incorrect. Please be advised that you should add the "Column B Year-to-Date" total from your previous report to the current "Column A Total This Period" figure to derive the correct Column B totals. Please amend your report and any subsequent reports that may be affected by this correction.

-On the Schedule L Aggregation Page for the "Key Levin" account, the beginning cash balance, Line 7, Column A, should equal the ending balance, Line 11, Column A, of your previous report. Please clarify this discrepancy and amend any subsequent report(s) that may be affected by this correction.

-Line 7, Column B of the Schedule L Aggregation Page for the "Key Levin" account represents the total cash-on-hand as of January 1, 2004. This figure should be the same on all the reports covering the calendar year. Please amend your report to clarify the change made in Line 7, Column B.

-Your calculations for Line 11, Column B on the Schedule L Aggregation Page for the "Key Levin" account appear to be incorrect. FEC calculations disclose this amount(s) to be \$-101,650.00. Please amend your report to disclose the corrected total(s).

-Schedule B and H6 supporting Line 22 and 30(a), respectively, discloses \$50,000.00 in transfers to what appears to be a non-federal or Levin account of your committee. Please provide further clarification regarding this transfer.

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You are advised that 11 CFR §102.5 prohibits a non-federal or Levin account from financing activity in connection with federal elections. If any of the disbursements disclosed on Schedule B supporting Line 22 or Schedule H6 supporting Line 30(a) were made to influence the election or defeat of specific federal candidates, the disbursements should be allocated accordingly and disclosed as either in-kind contributions on Schedule B supporting Line 23, independent expenditures on Schedule E supporting Line 24, or as coordinated expenditures on Schedule F supporting Line 25. 11 CFR §§104.3(b)(3) and 106.1 In addition, if your non-federal or Levin account has paid any expenditures which should have been allocated, you are advised to correct any non-compliance with 11 CFR §§106.7 and 300.33 and establish procedures to insure future compliance with allocation regulations.

Further, please be advised that the transfer(s) disclosed on Schedule H6 to your non-federal or Levin account does not qualify as Federal Election Activity expenses that can be allocated between your federal and non-federal or Levin accounts. Any reimbursement from your committee's non-federal or Levin account for any portion of this transfer(s) is not permissible and should be returned to the non-federal or Levin account. 11 CFR §102.5(a)(1)(i)

-The outstanding balance of a debt owed to a creditor at the close of one report should be exactly the same as the outstanding balance beginning the period of the next report. This report shows a beginning outstanding balance(s) to "Conferencing Premiere", which is not identical to the ending outstanding balance(s) for the creditor(s) on the August Monthly Report (7/1/04-7/31/04). Please amend your report to clarify the discrepancy.

-Your report discloses an outstanding balance(s) beginning this period for a debt(s) owed to "Thomas Graphics." However, an outstanding balance(s) at the close of the period was not disclosed on your August Monthly Report (7/1/04-7/31/04). In addition, your report discloses a negative opening balance of \$-4,875.66 owed to this vendor. Please amend your report(s) to clarify this discrepancy and to clarify the use of negative entries on Schedule D. 11 CFR §§104.3(b)(3) and 106.1

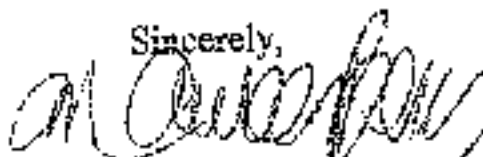
-Schedule D of your report has failed to include certain information. Commission Regulations require the full name and mailing address of each creditor, the outstanding balance at the beginning and end of the reporting period, the amount incurred during the period, the payment made during the period, and the nature or purpose of each debt. Additionally, all debts must be reported continuously until extinguished or settled. Please amend your report by providing the mailing address and the nature or purpose of each debt. 11 CFR §104.11

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Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. Requests for extensions of time in which to respond will not be considered. Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1135.

Sincerely,



Maureen Benitz

Senior Campaign Finance Analyst
Reports Analysis Division

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Contributor Name	Date	Amount	Report
Heinz, Jeanette	08/30/04	\$28,480.00	September Monthly
Jawad, Ali	08/24/04	\$48,124.00	September Monthly

